

REMARKS

The drawings were objected to under 37 CFR 183(a) because the Examiner states that the resistant wire embedded in electrically conductive material is not shown. The resistant wire phrase has now been substituted with the term Calrod.

Claims 1-18 were rejected under 35 USC 112, 1st paragraph and 2nd paragraph. As stated before, the claims have been amended to feature a Calrod. Regarding the phrase that the heating means is "at least partially encapsulated" has now been substituted to "in contact with."

Claims 1-2, 8, 9, 12, 14-18 were rejected under 35 USC 102(b) as being anticipated by Wade. Claims 15 and 17-18 were rejected under 35 USC 102(b) as being anticipated by Bochud (US Patent No. 6,243,535). Claims 15-18 were rejected under 35 USC 103(a) as being unpatentable over Wade (US Patent No. 897,326) in view of common knowledge in the art as evidence by Bochud. Claim 16 was rejected under 35 USC 103(a) as being unpatentable over Bochud. Claims 2-4 were rejected under 35 USC 103(a) as being unpatentable over Wade in view of Cassidy et al. Claims 5-7 and 10-11 were rejected under 35 USC 103(a) as being unpatentable over Wade in view of Rocchitelli. Claim 13 was rejected under 35 USC 103(a) as being unpatentable over Wade in view of Rocchitelli and further in view of common knowledge in the art as evidence by Gusmer (US Patent No. 3,782,456).

The amendment to the claims should overcome the rejection of claims 1-2, 8, 9, 12 and 14-18 under 35 USC 102(b) as being anticipated by Wade and further overcome the claims 15, 17-18 under 35 USC 102(b) as being anticipated by Bochud. Neither Wade nor Bochud show or disclose a fluid flow path including a first and second channel where the heating means is disposed between the first and second channels. Further, Bochud only shows molding a heating means onto an exterior surface of the hollow body. Bochud does not show or disclose molding the heating means between two channels of a fluid flow path.

Further, it would not be obvious to combine the teachings in Rocchitelli with the Wade or Bochud disclosures. Rocchitelli discloses a pair of plates each having a flow path therein connected together with rivets and having a heating element disposed between the two plates.

However Rocchitelli does not disclose a Calrod between the first and second channels but instead discloses a flat thermistor. It would require extensive modification to the plates in Rocchitelli to be able to connect the plates with Calrods disposed therebetween.

In addition neither Bochud nor Wade show or disclose a Calrod as a heating means. Further, as stated previously Bochud only discloses molding heating bodies to the exterior of the flow path/receptacle 7. Bochud does not disclose molding the heating bodies between two channels of the flow path. Therefore it could not be obvious to combine Bochud with Rocchitelli. It would also require a substantial reconstruction or redesign of the Rocchitelli and Bochud references to combine them to obtain the present invention. If one was to mold one of the plates in Rocchitelli to the heating means in Bochud, one would still have the features of the present invention and one would still need to connect the first plate to the second plate with the rivets which would again result in a gap between the heating means and the flow path.

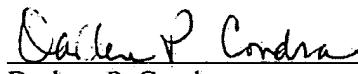
Regarding claim 2, Wade does not disclose control means for activating the heating means. The terminals 14, 15 in Wade cannot be considered control means. Regarding claim 1, there is no disclosure in the prior art regarding sealing means between the thermally conductive mass and the closure element.

Regarding the claims 5-7 and 10-11 which are rejected 35 USC 103(a) as being unpatentable over Wade in view of Rocchitelli, the prior arguments apply to this rejection also.

Therefore, claims 1-2, 5-12, 14-18 are believed to be allowable. The remaining dependent claims are then also believed to be allowable.

This amendment should place this case in condition for passing to issue. Such action is requested. If the Examiner feels that prosecution of the present application can be expedited by way of an Examiner's amendment, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,
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